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March 12, 2007

### **BY E-FILE**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
844 North King Street  
Lock Box 27  
Wilmington, DE 19801

Re: Enders/Maden v. Super Fresh  
C.A. No. 05-669 JJF

Dear Judge Farnan:

I write to Your Honor regarding the Pre-trial Hearing in the above-referenced matter. The hearing is currently scheduled for April 3, 2007 at 1:30 p.m. Defendant filed its Motion for Summary Judgment on February 15, 2007. (D.I. 43). On March 8, 2007 the Court ordered Plaintiff to file her response, if any, on or before March 14, 2007. (D.I. 45). Defendant's response is due on or before March 20, 2007. The pretrial submissions are due eight days later, on March 28, 2007.

In light of the procedural nature of this case, however, Defendant has concerns about the feasibility of either party being able to fully prepare for the Hearing. For this reason, Defendant respectfully requests that the Pre-trial Hearing be postponed and that it be rescheduled after dispositive motions have been decided.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

The Honorable Joseph J. Farnan, Jr.

March 12, 2007

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As always, Counsel is available at the Court's convenience to provide any additional information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MMDiBi".

Margaret M. DiBianca

MMD:ky

Enclosure

cc: Judy Enders/Maden (via U.S. Mail)  
John P. Barry, Esquire